



City of Eugene
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CITY OF EUGENE RECALL PROCESS

This is a summary of the process for filing a **Recall Petition** with the City of Eugene.

What is a recall?

Any non-federal elected or appointed public office holder in an elective office may be recalled. Eugene follows State Election Law for the recall process. All filings and inquiries should be directed to the Eugene City Recorder at the location listed above.

Who may file a recall petition?

- Any registered voter in a public officer's district may initiate a recall.
- Public officer must have held office for six months of the current term.
- Individual responsible for preparation, organization of recall petition is "chief petitioner."

How to file a prospective recall petition

- Chief petitioner fills out required forms for prospective recall petition.
- Schedule appointment to submit them to the City Recorder.
- Forms are found in the Secretary of State's *2008 Recall Manual*; financial forms available in Secretary of State's *2008 Campaign Finance Manual*.
- No filing fee.
- All forms must be approved in writing prior to gathering any signatures.
 1. SEL 350 *Petition for Recall* --200 words or less, states reasons for recall
 2. SEL 351 *Petition for Recall Signature Sheet* -- chief petitioner must complete, and sign Line 1, after making copy of clean sheet to be used for circulation copies
 3. SEL 300 *Statement One or More Petition Circulators Will Be Paid*
 4. SEL 222 *Statement of Organization for Chief Petitioner Committee* -- designates a treasurer and must be filed with the City Recorder AND electronically with the Secretary of State.
 5. Detailed contribution & expenditure report that includes all contributions received and expenditures made to support the recall petition **prior** to filing the prospective petition (must be filed even if there has been no financial activity)

Circulating a recall petition

- After receiving written approval from the City Recorder, recall petition may be circulated.
- Chief petitioner reviews legal requirements and guidelines with all circulators.
- The recall petition (SEL 350) must be printed on the back of each signature sheet (SEL 351).

Number of signatures required to place a recall petition on the ballot

- Requires 15 percent of the total number of votes cast in the public officer's electoral district for all candidates for Governor at most recent General Election (November 7, 2006). Currently, the following numbers of signatures are required for Eugene public officers:

Mayor: 9,421

Councilors

Ward 1: 1,244

Ward 2: 1,520

Ward 3: 951

Ward 4: 1,171

Ward 5: 1,295

Ward 6: 1,171

Ward 7: 998

Ward 8: 1,071

- Petitioners should collect more than the minimum required number of signatures.

Time limit for collection of signatures

- Completed petitions (100% percent required number of signatures) filed with City Recorder by 5:00 p.m. on 90th day after filing prospective petition.
- Day count begins on day following the day of filing.
- Signature sheets not accepted unless chief petitioner is present.
- Signature sheets must be numbered sequentially.

Signature verification

- After completed petition filed with City Recorder, City Recorder forwards signature sheets to Lane County Elections.
- Elections division verifies legality of signatures within ten calendar days of filing date.
- Once signatures are verified, City Recorder notifies chief petitioner and public officer in writing.
- If sufficient signatures have been submitted, City Recorder certifies recall petition to ballot.
- If petition qualifies, public official may resign or submit statement of justification within five days.

Chief petitioner files a financial report

- Oregon law requires that chief petitioner file all campaign transactions with the Secretary of State's Office within 7 days after the transaction occurs. After the deadline for submitting signatures, all transactions must be reported within 30 days of their occurrence.
- Transactions must be reported regardless of whether signatures are submitted for verification.
- If petition qualifies, additional financial reports will be required.

Officer's Statement of Justification (Oregon Constitution, Article II, §18 and ORS 249.877 and 254.546)

- Within five days of recall question being certified to the ballot, the public officer may either submit resignation to City Recorder or file with City Recorder a statement of justification not to exceed 200 words, explaining public officer's course in office.
- If officer offers to resign, resignation is accepted and takes effect on day it is offered.

Election

- If officer does not resign, recall election must be held within 35 days after resignation period has expired.
- County elections official schedules and conducts recall election.
- Public officer continues to perform duties of office until the abstracts are delivered by County Clerk to the City Recorder, no later than the 20th day after the election.

Additional Information

Please contact City Recorder Mary Feldman for additional information about recall procedures.

Petition for Recall (Cover Sheet)

SEL 350
rev 2/08: ORS 249.865

please print or type legibly in black ink

↓ **petition for recall of:**

name of public officer

title of public officer

date prospective petition filed m/d/y

Use this space for statement of reasons for demanding recall. The statement may not exceed 200 words.

↓ name of Chief Petitioner or name of treasurer of Chief Petitioner Committee (from SEL 222)

residence address of Chief Petitioner or residence address of treasurer of Chief Petitioner Committee (from SEL 222)
street, city, state, zip code

↓ **printed name and signature of chief petitioner**

printed name of chief petitioner, and →

signature of chief petitioner*



Warning Supplying false information on this form may result in conviction of a felony with a fine of up to \$125,000 and or prison for up to 5 years. (ORS 260.715)

*by signing this document, I hereby state that any factual information (not a matter of opinion) in the above statement of reasons for demanding a recall is true to the best of my knowledge.

Instructions for Circulators

- Only active registered voters of the public official's electoral district may sign a petition.
- All signers on any one signature sheet must be active registered voters of the same county.
- It is advisable to have signers use a pen for signing petitions or for certifying petitions.
- Only one circulator may collect signatures on any one sheet of a petition.
- Each circulator must personally witness all signatures the circulator collects.
- Circulators must not write, alter, correct, clarify or obscure on a signature sheet any information about the signer unless the signer initials changes made or the signer is disabled and requests assistance in completing optional information.
- Circulators must not cause to be circulated a petition knowing it to contain a false signature.
- Circulators must not knowingly make any false statement to any person who signs it or requests information about it.
- Circulators must not attempt to obtain the signature of a person knowing that the person is not qualified to sign it.
- Circulators must not offer money or any thing of value to another person to sign or not sign a petition.
- Circulators must not sell or offer to sell signature sheets.



Warning Violations of the circulator requirements may result in conviction of a felony with a fine of up to \$125,000 and/or prison for up to 5 years.

Instructions for Signers

- Only active registered voters of the public official's electoral district may sign a petition. Sign your full name, as you did when you registered to vote.
- Fill in the date you signed the petition, your printed name and your residence or mailing address in the space provided.
- It is advisable to use a pen for signing petitions.
- Initial changes you or the circulator make to your printed name, residence or mailing address or date you signed the petition.
- It is unlawful to sign any person's name other than your own. Do not sign another person's name under any circumstances.
- It is unlawful to sign a petition more than once.
- It is unlawful for a person to knowingly sign a petition when the person is not qualified to sign it.

Petition for Recall Signature Sheet

petition ID _____

Do not sign this petition more than once.

☐ **One or More** ☐ **No** petition circulators will be paid. *mark one* (Note: For **state** recall petitions: All white petition sheets are circulated by volunteers, who are not paid to gather signatures.)

chief petitioner name _____ date _____

This is a recall petition. Signers of this page must be active registered voters in the following county only: _____

Petition for Recall of

name and title of public officer _____ date prospective petition filed mm/dd/yy _____

Note: A copy of the petition setting forth the reasons for demanding the recall is printed on the back of this signature sheet. (Oregon Constitution, Article II, §18)

signature*	date signed* mm/dd/yy	print name *	residence or mailing address* street, city, zip code
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

* Signature must only be completed by the signer. Circulators may not complete, change or obscure the signer's signature, date signed, printed name or address information, unless the signer initials the change. An exception is allowed for a circulator to complete or change information (other than the signature) if requested to do so by a disabled signer.

circulator certification **This certification must be signed by the circulator!**

I hereby certify that I witnessed the signing of the signature sheet by each individual whose signature appears on the signature sheet and I believe each individual is an elector. (ORS 249.865, ORS 198.430) **Warning!** Falsely signing this statement may result in a felony conviction with a fine up to \$125,000 and/or prison up to 5 years. ORS 260.715)

circulator signature _____ date signed mm/dd/yy _____

printed name of circulator _____ circulator's address street, city, zip code _____

county elections official certification

I hereby certify _____ signatures on this petition are those of active registered voters in _____ County/City/District of Oregon.

signature of county elections official _____ date signed mm/dd/yy _____

Statement One or More Petition Circulators Will Be Paid

SEL 300

rev 1/08: ORS 248.008,
ORS 249.061, ORS 249.078,
ORS 249.740, ORS 249.865

I/We hereby declare one or more petition circulators will be paid money or other valuable consideration for obtaining signatures of active registered voters on the attached petition or certificate. I/We understand the filing officer must be notified not later than the 10th day after I/we first have knowledge or should have had knowledge that no petition circulator will be paid for obtaining signatures. Additionally, unless this is for a recall petition or a minor political party formation petition, by signing this document, I hereby state that no circulators will be compensated on this petition based on the number of signatures obtained by the circulator.

identify petition *name of candidate or minor political party on prospective petition; or name of officeholder on recall petition*

signed* date signed

signed* date signed

signed* date signed

* Statement must be signed by one of the following:

- candidate for nomination
- chief petitioner for recall petition
- chief sponsor for certificate of nomination
- chief sponsor for minor political party formation petition

Statement No Petition Circulators Will Be Paid

SEL 300

rev 1/08: ORS 248.008,
ORS 249.061, ORS 249.078,
ORS 249.740, ORS 249.865

I/We hereby declare no petition circulators will be paid money or other valuable consideration for obtaining signatures of active registered voters on the attached petition or certificate. I/We understand the filing officer must be notified not later than the 10th day after I/we first have knowledge or should have had knowledge that one or more petition circulators will be compensated for obtaining signatures. Additionally, unless this is for a recall petition or a minor political party formation petition, by signing this document, I hereby state that no circulators will be compensated on this petition.

identify petition *name of candidate or minor political party on prospective petition; or name of officeholder on recall petition*

signed* date signed

signed* date signed

signed* date signed

* Statement must be signed by one of the following:

- candidate for nomination
- chief petitioner for recall petition
- chief sponsor for certificate of nomination
- chief sponsor for minor political party formation petition

Statement of Organization for Chief Petitioner Committee

SEL 222

rev 12/07: ORS 260.118

Filing a New Committee: This form must be completed and filed by chief petitioners of an initiative, referendum or recall petition within 3 business days of first receiving a contribution or making an expenditure and no later than the date the petition is approved for circulation. For a recall petition, it must be filed with the prospective petition. The "Original" box should be marked. A date stamped copy of this form, which includes the committee's identification number, will be returned to the treasurer as an acknowledgment of the filing.

Chief Petitioners: A chief petitioner committee must list all chief petitioners of the petition.

Amending Information on this Form: Any change in the information on this form must be filed **within 10 days** of the change. To notify the Elections Division of a change in information, submit this form, completed in its entirety, and mark the "Amendment" box.

Discontinuing: A chief petitioner may discontinue their committee by disclosing all transactions that achieve a zero balance and filing a completed SEL 222 with the "Discontinuation" box marked. Discontinuation of a state initiative or referendum chief petitioner committee prior to the deadline for submitting signatures for verification can occur only if the petition is withdrawn.

please type or print legibly in black ink

This filing is an: ☐ Original ☐ Amendment ☐ Discontinuation

↓ name of committee *If changing committee name, please include former name.* abbreviation or acronym

committee address *street/route, city, state, zip code; no post office box numbers*

campaign phone

name of treasurer

☐ Mr ☐ Ms

mailing address for committee correspondence

work phone

home phone

fax

email address

name of alternate transaction filer

☐ Mr ☐ Ms

mailing address for alternate transaction filer *street/route, city, state, zip code*

email address

type of chief petitioner committee *mark both type of petition AND jurisdiction*

type of petition

☐ Initiative

☐ Referendum

☐ Recall

jurisdiction

☐ State*

☐ County

☐ City

☐ Special District

date prospective petition filed *mm/dd/yy*

* date of election (only required for state petitions) *mm/dd/yy*

continued on the reverse side of this form

SEL 222

↓ subject or ballot title of petition/name of public official for recall

1

name of chief petitioner

phone number

address including zip code

2

name of chief petitioner

phone number

address including zip code

3

name of chief petitioner

phone number

address including zip code

↓ **signature**

By signing this document I acknowledge that I am personally liable for any penalties imposed under ORS chapter 260, and attest that the information on the form is true and correct.

treasurer's signature

date signed

chief petitioner's signature (optional)

date signed

for office use only

initials

committee ID number

office number

date acknowledgment sent